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## *Joint Staff Draft Amendment*

Strike all after the enacting clause and insert the following:

1 **SECTION 1. MARSHALL ISLANDS AGRICULTURAL AND FOOD**  
2 **PROGRAMS.**

3 Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C.  
4 1903(h)(2) is amended by striking "ten" and inserting "fifteen" and by adding at the  
5 end of subparagraph (B) the following:

6 "The President shall ensure that the amount of commodities provided under  
7 these programs reflects the changes in the population that have occurred since  
8 the effective date of the Compact."

9 **SEC. 2. AMERICAN MEMORIAL PARK.**

10 Section 5 of Public Law 95-348 is amended by striking subsection (f).

11 **SEC. 3. TERRITORIAL LAND GRANT COLLEGES**

12 (a) **LAND GRANT STATUS.**—Section 506(a) of the Education Amendments  
13 of 1972 (Public Law 92-318, as amended; 7 U.S.C. 301 note) is amended by striking  
14 "the College of Micronesia," and inserting "the College of the Marshall Islands, the  
15 College of Micronesia-FSM, the Palau Community College,".

16 (b) **ENDOWMENT.**—The amount of the land grant trust fund attributable to  
17 the \$3,000,000 appropriation for Micronesia authorized by the Education  
18 Amendments of 1972 (Public Law 92-318, as amended; 7 U.S.C. 301 note) shall, upon  
19 enactment of this Act, be divided equally among the Republic of the Marshall Islands,  
20 the Federated States of Micronesia, and the Republic of Palau for the benefit of the  
21 College of the Marshall Islands, the College of Micronesia-FSM, and the Palau

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1 Community College.

2 (c) TREATMENT.—Section 1361(c) of the Education Amendments of 1980  
3 (Public Law 96-374, as amended; 7 U.S.C. 301 note) is amended by striking “and the  
4 Trust Territory of the Pacific Islands (other than the Northern Mariana Islands)” and  
5 inserting “the Republic of the Marshall Islands, the Federated States of Micronesia,  
6 and the Republic of Palau”.

7 **SEC. 4. AMENDMENT TO THE GUAM ORGANIC ACT.**

8 Section 28 of the Organic Act of Guam (48 U.S.C. 1421f) is amended by adding  
9 at the end the following new subsection:

10 “(d) TRANSFER OF EXCESS LAND.—(1) At least 180 days before  
11 transferring to any Federal agency excess real property located in Guam, the  
12 Administrator of General Services shall notify the government of Guam that the  
13 property is available under this section.

14 “(2) The Administrator shall transfer to the government of Guam all right,  
15 title, and interest of the United States in and to excess real property located in Guam,  
16 by quit claim deed and without reimbursement, if the government of Guam, within  
17 180 days after receiving notification under paragraph (1) regarding the property,  
18 notifies the Administrator that the government of Guam intends to acquire the  
19 property under this section.

20 “(3) For purposes of this subsection, the term ‘excess real property’ means  
21 excess property (as that term is defined in section 3 of the Federal Property and  
22 Administrative Services Act of 1949 that is real property.”.

23 **SEC. 5. REPEAL OF LIMITATION ON USE OF LANDS BY THE**  
24 **GOVERNMENT OF GUAM.**

25 (a) IN GENERAL.—Section 818(b)(2) of the Military Construction Act, 1981  
26 (Public Law 96-418; 94 Stat. 1782), is repealed.

27 (b) EXECUTION OF INSTRUMENTS.—The Secretary of the Navy and the  
28 Administrator General Services shall execute all instruments necessary to  
29 implement this section.

**SEC. 6. CLARIFICATION OF ALLOTMENT FOR TERRITORIES.**

Section 901(a)(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)(2)) is amended to read as follows:

"(2) 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;".

**SEC. 7. AMENDMENTS TO THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS.**

(a) **TEMPORARY ABSENCE OF OFFICIALS.**—Section 14 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1595) is amended by adding at the end the following new subsection:

"(g) An absence from the Virgin Islands of the Governor or the Lieutenant Governor, while on official business, shall not be a 'temporary absence' for purposes of this section."

(b) **PRIORITY OF BONDS.**—Section 3 of Public Law 94-392 (48 U.S.C. 1574c) is amended—

(1) by striking "priority for payment" and inserting "a parity lien with every other issue of bonds or other obligations issued for payment"; and

(2) by striking "in the order of the date of issue".

(c) **APPLICATION.**—The amendments made by subsection (b) shall apply to obligations issued on or after the date of enactment of this section.

**SEC. 8. COMMISSION ON THE ECONOMIC FUTURE OF THE VIRGIN ISLANDS.**

(a) **ESTABLISHMENT AND MEMBERSHIP.**—

(1) There is hereby established a Commission on the Economic Future of the Virgin Islands (the "Commission"). The Commission shall consist of six members appointed by the President, two of whom shall be selected from nominations made by the Governor of the Virgin Islands. The President shall designate one of the members of the Commission to be Chairman.

(2) In addition to the six members appointed under paragraph (1), the

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1 Secretary of the Interior shall be an ex-officio member of the Commission.

2 (3) Members of the Commission appointed by the President shall be  
3 persons who by virtue of their background and experience are particularly  
4 suited to contribute to achievement of the purposes of the Commission.

5 (4) Members of the Commission shall serve without compensation, but  
6 shall be reimbursed for travel, subsistence and other necessary expenses  
7 incurred by them in the performance of their duties.

8 (5) Any vacancy in the Commission shall be filled in the same manner  
9 as the original appointment was made.

10 (b) PURPOSE AND REPORT.—

11 (1) The purpose of the Commission is to make recommendations to the  
12 President and Congress on the policies and programs necessary to provide for a  
13 secure and self-sustaining future for the local economy of the Virgin Islands  
14 through 2020 and on the role of the Federal Government in providing for that  
5 future. In developing recommendations, the Commission shall—

16 (A) solicit information and advice from persons and entities that  
17 the Commission determines have expertise to assist the Commission in  
18 its work;

19 (B) examine and analyze historical data since 1970 on  
20 expenditures for infrastructure and services;

21 (C) analyze the sources of funds for such expenditures;

22 (D) assemble relevant demographic and economic data, including  
23 trends and projects for the future; and

24 (E) estimate future needs of the Virgin Islands, including needs for  
25 capital improvements, educational needs and social, health and  
26 environmental requirements.

27 (2) The recommendations of the Commission shall be transmitted to the  
28 President, the Committee on Energy and Natural Resources of the United  
29 States Senate and the Committee on Resources of the United States House of  
30 Representatives no later than December 1, 1997. The recommendations shall

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1 be accompanied by a report that sets forth the basis for the recommendations  
2 and includes an analysis of the capability of the Virgin Islands to meet  
3 projected needs based on reasonable alternative economic, political and social  
4 conditions in the Caribbean, including the opening in the near future of Cuba to  
5 trade, tourism and development.

6 (c) POWERS.—

7 (1) The Commission may—

8 (A) hold such hearings, sit and act at such times and places, take  
9 such testimony and receive such evidence as it may deem advisable;

10 (B) use the United States mail in the same manner and upon the  
11 same conditions as other departments and agencies of the United  
12 States;

13 (C) enter into contracts or agreements for studies and surveys  
14 with public and private organizations and transfer funds to Federal  
15 agencies to carry out such aspects of the Commission's functions as the  
16 Commission determines can best be carried out in such manner; and

17 (D) incur such necessary expenses and exercise such other  
18 powers as are consistent with and reasonably required to perform its  
19 functions.

20 (2) The Secretary of the Interior shall provide such office space,  
21 furnishings and equipment as may be required to enable the Commission to  
22 perform its functions. The Secretary shall also furnish the Commission with  
23 such staff, including clerical support, as the Commission may require and shall  
24 provide to the Commission financial and administrative services, including  
25 those relating to budgeting, accounting, financial reporting, personnel and  
26 procurement.

27 (3) The President, upon request of the Commission, may direct the head  
28 of any Federal agency or department to assist the Commission and if so  
29 directed such head shall—

30 (A) furnish the Commission to the extent permitted by law and

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1           within available appropriations such information as may be necessary  
2           for carrying out the functions of the Commission and as may be  
3           available to or procurable by such department or agency; and

4                       (B) detail to temporary duty with the Commission on a  
5           reimbursable basis such personnel within his administrative jurisdiction  
6           as the Commission may need or believe to be useful for carrying out its  
7           functions, each such detail to be without loss of seniority, pay or other  
8           employee status.

9           (d) CHAIRMAN.—Subject to general policies that the Commission may adopt,  
10          the Chairman of the Commission shall be the chief executive officer of the  
11          Commission and shall exercise its executive and administrative powers. The  
12          Chairman may make such provisions as he may deem appropriate authorizing the  
13          performance of his executive and administrative functions by the staff of the  
14          Commission.

15          (e) APPROPRIATIONS.—There are authorized to be appropriated such sums  
16          as may be necessary to carry out the purposes of this section.

17          (f) TERMINATION.—The Commission shall terminate three months after the  
18          transmission of the report and recommendations under subsection (b)(2).

19          **SEC. 9. HOSPITAL TO SERVE THE REPUBLIC OF THE MARSHALL**  
20          **ISLANDS.**

21               The Secretary of the Interior shall, within 180 days after the date of the  
22          enactment of this section, submit a report to Congress on alternatives to provide  
23          adequate hospital services to the population of the Republic of the Marshall Islands.  
24          The report shall include a design, specifications, and cost estimates for a facility to be  
25          located on Majuro Atoll to provide such services. The Secretary may spend up to  
26          \$200,000 from technical assistance funds available during the Fiscal Year ending  
27          September 30, 1997 to implement this section.

28          **SEC. 10. PUBLIC HEALTH SERVICE PHYSICIANS.**

29               The Secretary of Health and Human Services shall provide, on a non-  
30          reimbursable basis, technical and training assistance to the Government of the

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1 Marshall Islands to carry out direct radiation related medical surveillance and  
2 treatment programs under section 177(b) of the Compact of Free Association. Such  
3 programs may include the services of physicians, surgeons, dentists, nurses, and  
4 other health care practitioners.

**SEC 11. ELIGIBILITY FOR HOUSING ASSISTANCE**

6 Section 214(a) of the Housing Community Development Act of 1980 (42  
7 U.S.C. 1436a(a)) is amended—

8 (1) by striking "or" at the end of paragraph (5);

9 (2) by striking the period at the end of paragraph (6) and inserting "; or";

10 and

11 (3) by adding at the end the following new paragraph:

12 "(7) an alien who is lawfully resident in the United States and its  
13 territories and possessions under section 141 of the compacts of free  
14 association between the Government of the United States and the  
15 Governments of the Marshall Islands, the Federated States of  
16 Micronesia (48 U.S.C. 1901 note) and Palau (48 U.S.C. 1931 note)—

17 "(A) while the applicable section is in effect; and

18 "(B) to the extent that the alien was eligible to receive  
19 financial assistance in 1994."

O

**Amendment to the Joint Staff Draft Amendment to S. 1804 intended to be proposed by Mr. Murkowski for himself and Mr. Johnston:**

Viz:

At the appropriate place add the following new section:

**SEC. \_\_. RADIOLOGICAL HEALTH CARE PROGRAM.**

(a) **ELIGIBILITY LIMITATION.**—The President is authorized to negotiate an amendment to the Agreement Between the Government of the United States and the Government of the Marshall Islands for the Implementation of Section 177 of the Compact of Free Association to limit eligibility for radiological monitoring, medical surveillance, and treatment under section 177(b) of the Compact of Free Association to persons that were directly affected by the nuclear testing program conducted by the United States Government in the Marshall Islands between June 30, 1946 and August 18, 1958.

(b) **INFLATION ADJUSTMENT.**—If the Government of the Marshall Islands agrees to the amendment under subsection (a), the Secretary of Energy shall adjust the amount of the annual grant provided to the Government of the Marshall Island for health and medical programs under section 103(h)(1) of the Compact of Free Association by the percent which equals two-thirds of the percentage change in the United States Gross National Product Implicit Price Deflator, or seven percent, whichever is less in any one year, using the beginning of Fiscal Year 1981 as the base—

(1) notwithstanding the second sentence in section 103(h)(1) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(2)); and

(2) subject to appropriation.

*Note: Report language will be added to reflect the fact that the program can include lineal descendants of those directly affected if there is adequate scientific justification to do so.*